



3459-11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Steven M. Hoffberg  
Serial No. : 09/260,802  
Filed : March 2, 1999  
For : ADAPTIVE PATTERN RECOGNITION BASED  
CONTROLLER APPARATUS AND METHOD AND  
HUMAN-FACTORED INTERFACE THEREFORE  
Art Unit : 2121  
Examiner : SPE Anthony Knight

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June 6, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

#### PRELIMINARY AMENDMENT

Sir:

In response to the Office Action Dated October 6, 2004, the time for response to which expired January 6, 2004, a Notice of Appeal and Petition for a Three Month Extension of time having been filed on April 4, 2005, Applicants file herewith a Request for Continuing Examination in lieu of an Appeal Brief.